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LABOUR & E.S.I. DEPARTMENT

NOTIFICATION

The 11th March 2025

S.R.O. No. 168/2025—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Award dated the 15th February 2025 passed in the I.D. Case No. 28 of 2024 by the Presiding Officer, Labour Court, Bhubaneswar to whom the industrial dispute between the M/s Rajhans, At Mangalabag, P.O. Buxi Bazar, P.S. Mangalabag, Dist. Cuttack and Shri Mohit Kumar Swain, S/o Shri Ghanashyam Swain, Vili./P.O. Balia, P.S. Mahakalapada, Dist. Kendrapada was referred for adjudication is hereby published in the schedule below.

SCHEDULE

IN THE LABOUR COURT, BHUBANESWAR

INDUSTRIAL DISPUTE CASE No. 28 of 2024

Dated the 15th February 2025

Present :

Smt. Meenakshi Priyadarshinee,
Presiding Officer, Labour Court,
Bhubaneswar.

Between :

M/s Rajhans,
At Mangalabag, P.O. Buxi Bazar,
P.S. Mangalabag, Dist. Cuttack.
And

.. First Party—Management

Shri Mohit Kumar Swain,
S/o Shri Ghanashyam Swain,
Vili./P.O. Balia,
P.S. Mahakalapada,
Dist. Kendrapada.

.. Second Party—Workman

Appearances :

None	.. For the First Party Management
None	.. For the Second Party Workman

AWARD

The Government of Odisha in the Labour and E.S.I. Department in exercise of powers conferred upon it by sub-section (5) of Section 12 read with Clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication by this Court vide their Memo No. 5334/LESI, dated the 19th July 2024.

“Whether the action of the management of M/s Rajhans, At Mangalabag, P.O. Buxibazar, P.S. Mangalabag, Dist. Cuttack, in terminating the services and refusing retrenchment compensation theretoof Shri Mohit Kumar Swain, Ex-Salesman At/P.O. Balia, P.S. Mahakalapada, Dist. Kendrapara w.e.f. the 2nd April 2019 is legal and/or justified ? If not, what relief the workman is entitled to ?”

2. On close scrutiny of the case record, it is found that after receipt of the above dispute from the appropriate Govt., notice was issued to the second party for filing of statement of claim through post vide this Office Letter No.1795, dated the 10th December 2024. But, the second party neither appeared nor filed his statement of claim. It is further found that the copy of the above reference was also issued to the second party by the Govt. in Labour & E.S.I Department vide their Memo No. 5336, dated the 19th July 2024 with a direction to file complete statement of claim with relevant documents, list of documents and witnesses before this Court within 15 days of the receipt of the order of reference. It is also revealed from the case record that on the 3rd September 2024 this Court has received the above reference from the appropriate Govt. and meanwhile more than five months have already been passed, but the second party has neither appeared nor filed his statement of claim despite notice of this Court. So, it can be presumed that the second party is not interested to proceed with this case.

Thus, in absence of pleading from the side of the workman and evidence on record, it is not possible to answer the reference in any manner. Considering the above facts and circumstances, this Court is constrained to pass a ‘No Dispute Award’ in this case. Accordingly, a ‘No Dispute Award’ is passed insofar as the present reference is concerned.

Dictated and corrected by me.

M. PRIYADANSINEE
15-02-2025
Presiding Officer
Labour Court, Bhubaneswar

M. PRIYADANSINEE
15-02-2025
Presiding Officer
Labour Court, Bhubaneswar

[No. 2614—LESI-IR-ID-0021/2025-LESI]

By order of the Governor

MADHUMITA NAYAK

Additional Secretary to Government